

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MISHELLE GARCIA, individually and
on behalf of all others similarly
situated,

Plaintiff,

– against –

DEJAVU OF STATEN ISLAND,
CORP. d/b/a DejaVu Sports Bar, and
CARLOS DIAZ and FERNANDO
VIVANCO, as individuals,

Defendants.

ORDER

23-cv-09549 (ER)

Ramos, D.J.:

On July 9, 2024, Garcia filed a proposed default judgment. Doc. 31. On August 12, 2024, at a show cause hearing, the Court directed Garcia to correct her proposed default judgment because the requested damages were not supported by the attached exhibits. Minute entry, August 12, 2024; Doc. 32 at 3, 5, 30. On August 21, 2024, Garcia filed a second proposed default judgment. Doc. 41. On August 23, 2024, the Court directed Garcia to correct yet another calculation mistake in her second proposed default judgment via email to counsel Janelle Jade Romero (janelle@genesqlaw.com). However, no amended proposed default judgment has been filed. On August 28, 2024, Ms. Romero filed a notice of change of address. Doc. 42. On September 4, 2024, the Court followed up with Ms. Romero at her new email address (jromero@consumerattorneys.com) concerning the amended proposed default judgment but has not received a response. On December 20, 2024, Ms. Romero filed a second notice of change of address. Doc. 46.

Garcia is directed to file a second amended proposed default judgment correcting all

calculation mistakes by January 9, 2025. Failure to do so, may result in adverse action, including dismissal for failure to prosecute.

It is SO ORDERED.

Dated: December 26, 2024
New York, New York



Edgardo Ramos, U.S.D.J.